

**THE UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT
PROJECT**

LAND USE REGULATORY SYSTEM (ZONING)

FINAL REPORT

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This Report was developed as part of the Land Use Regulatory System (Zoning) Project. The Project was funded by the United States Agency for International Development and implemented by personnel from Planning Development Collaborative International, Inc. (PADCO), the Urban Institute, the Institute for Urban Economics, and the Institute for a Law-Based Economy (ILBE) in the cities of Irkutsk, Kazan, Novgorod, Pushkin, Samara, St. Petersburg, Tver, and Vyborg.

In addition to this Report, the Project published copies of the Zoning Ordinances for Kazan, Samara, and Vyborg and special studies on the following issues: *The Development Process on Leased Land, Subdivision, Preservation and development of Historical Buildings and Historical Areas, Interjurisdictional Land Issues, Reservation of Land for Future Public Needs, and Environmental Protection and Land Use Regulation*. The Project also published an aperiodic newsletter addressing land use issues and a training brochure.

Copies of these materials and additional information on zoning and land use may be obtained from the following organizations and individuals:

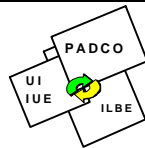
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HOUSING REFORM PROJECT
Land Use Regulatory System (Zoning)
United States Agency for International Development

**Land Use Regulatory System (Zoning) Project
FINAL REPORT**

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Project Overview and Scope

The USAID-funded project “Land Use Regulatory System Zoning” (the Project) managed by the Urban Institute and PADCO, Inc. began on October 1, 1996 and was completed on June 30, 1998, although most activities were concluded on March 31, 1998. The program was initiated by USAID to support the development of a modern land use system in the Russian Federation (RF). The principle tasks of the project were to assist local municipalities in the resolution of land use problems, to continue to provide support to cities whose regulations were drafted under the Pilot Project and to assist new cities develop land use regulations.

The Project was implemented by personnel from four organizations: PADCO, Inc. (PADCO), the Urban Institute (UI), the Institute for Urban Economics (IUE), and the Institute for a Law-Based Economy (ILBE). The ILBE personnel began their zoning efforts in the RF on the Pilot Project and then transferred that experience to this Project.

During implementation of the Project, the Project team selected three new cities to assist in the development of draft land use regulations: Kazan, Samara and Vyborg. In addition, they selected four of the Pilot Project cities to continue with consultations on their regulations and for testing the Project’s subtasks: Novgorod, St. Petersburg (Block 130), Tver and Irkutsk. In addition to these seven cities, Project personnel also consulted with the Moscow City Administration toward the end of the Project.

The primary means of assisting local municipalities in the resolution of their land use problems were the manuals on key issues which were written, tested and revised by Project personnel. These manuals addressed the following issues:

- a. Development Process on Leased Land;
- b. Subdivision of Urban Land;
- c. Interjurisdictional Land Issues;
- d. Land Use and Ecological Issues;
- e. Historical and Cultural Preservation;
- f. Reservation of Land for Future Public Use; and
- g. Servitudes.

These manuals received wide dissemination at the end of the Project and were transferred to the USAID Deepening Urban Real Estate Reform (DURER) Project for further use and dissemination in its seminars and programs.

In addition to the technical materials that were developed by Project personnel, there was also a major training, educational and information dissemination component of the Project. To assist in the education of local officials on Western zoning concepts, Project personnel:

- a. wrote a Training Brochure which was disseminated during seminars in the cities;
- b. conducted a series of seminars on general and specific land use issues;
- c. published a series of newsletters addressing land use issues;
- d. trained local officials and professionals in the implementation of a modern land use regulatory system;
- e. received commitments from private or quasi-private firms to continue to provide advice on modern land use techniques.

Project personnel also provided advice to federal agencies, both in the executive and legislative branches, on issues affecting the development of a modern land use regulatory system in the RF. And, finally, Project personnel participated in numerous conferences and seminars conducted by other firms and agencies, published articles in commercial publications, and identified other cities that may be interested in developing a modern land use regulatory system in the future.

The Task Order provided by USAID contained a number of tangible results or benchmarks that were designed to measure the effective implementation of the Task Order. The table on the following page compares the results of the project in relation to these tangible results or benchmarks. In summary, the project met or exceeded all of these USAID benchmarks.

Part I of this report covers the city selection process and how the recommendations were made to USAID on which cities should be included in the Project's work. Part II covers the process and products of the work in the cities developing Regulations for the new cities and revising previous Regulations for the Pilot cities. Part III describes the process and products of the work on the manuals which addressed the special land use issues, and Part IV covers training, information dissemination and other Project accomplishments.

PART I CITY AND INSTITUTE SELECTION

City Selection

The selection of cities consisted of two stages: selecting new cities for the development of zoning regulations and testing of manuals and selecting cities from the Pilot project to continue work on their regulations and to test subtask manuals. Project specialists collected information from various sources in making their recommendations on city selection. The final recommendations on the selection of new cities was based on a combination of the following:

- a. collection and analysis of statistical data;
- b. consideration of information provided by city administrations, specialists from other projects, employees of various ministries, departments, and public organizations, who were all interested in the successful accomplishment of the Project;
- c. development of a set of criteria to compare cities being considered as participants (in December 1996, a chart was compiled to compare the cities based on seven criteria characterizing the level of activity in the local real estate market, real estate and land privatization by privatized enterprises, perceived willingness of local administration to carry out reforms, and others);
- d. preparation and periodic culling of lists of cities to narrow down the number of future Project participants;
- e. distribution of questionnaires to employees of various municipal departments and agencies to clarify different aspects of the existing situation in the cities and their potential for participating in the project;
- f. field trips to cities to determine the feasibility of Project implementation in a particular city (the first trips to Ryazan and Chelyabinsk took place at the end of November 1996 and the last trips to Kazan and Samara took place in March 1997).

At the beginning of the Project, the number of potential participants was around thirty. Over time, this figure was gradually reduced to 19, 12, and then 8 (January 1997). The first city selected for the Project was Vyborg (February 1997), then Kazan and Samara (March 1997). Sochi was a strong contender but it was not approved at the final stage.

The chart on the following page illustrates the city selection process:

Legend:

1. Consideration of cities with representatives of:
 - 1.1. other projects;
 - 1.2. Ministry for Nationalities;
 - 1.3. cities; city planning organizations

2. Preliminary list of cities:

- 2.1. - first stage;
- 2.2. - second stage;
- 2.3. - third stage;

3. Requests from city officials to participate in the Project.

- 1. Visits to cities by Project specialists.
- 2. Analytical comparison of cities: Vyborg, Sochi, Ryazan, Vologda, Penza, Chelyabinsk, Ekaterinburg.
- 3. Recommendations to USAID to begin work in the cities;
- 4. Approval from USAID to begin work in the cities;
- 5. Memorandum of Understanding signed between USAID and the city

City Selection Process

Cities	Time Frame																		
	1996				1997												1998		
	Sep	Oct	Nov	Des	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
1. Novosibirsk		1.1 1.3																	
2. Érasnoyarsk		1.1 2.1																	
3. Ekaterinburg		1.1 2.1 3 1.3		1.2 4		5													
4. Ryazan		2.1 1.3	1.3 4		1.3	5													
5. Syktivkar		2.1																	
6. Vologda		2.1		1.1 1.2															
7. Vladimir		2.2		1.2															
8. Samara		2.2					4 7	8											
9. Chelyabinsk		2.2 1.3	1.1 3 1.3 4	4		5													
10. Saratov		2.3																	
11. Vyborg		2.3		1.2	4	5 6 7		8											
12. Pskov		2.3																	
13. Penza			1.3 3	4		5													
14. Kaliningrad			1.3																

Cities	Time Frame																			
	1996				1997												1998			
	Sep	Oct	Nov	Des	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Des	Jan	Feb	Mar	
15. Sochi			1.3		1.3	4 5 1.3 6														
16. Voronezh			1.3																	
17. Petrodvorets			1.4																	
18. Dzerzhinsk			1.2	1.2																
19. Naberezhnye Chelny				1.1 1.2	1.1															
20. Novocherkassk				1.1																
21. Obninsk				1.2																
22. Dubna				1.2																
23. Zarechnyj				1.2																
24. Zhukovskij				1.2																
25. Àstrakhan				1.2																
26. Êàstroma				1.2																
27. Yaroslavl				1.2																
28. Ôîlyatti				1.2		1.3														
29. Vologda					4	1.3														
30. Îisk					1.3	1.3 4														
31. N. Novgorod						1.3														
32. Êàzan							4 6 7	8												

Memoranda of Understanding between the new cities selected to participate in the Project and USAID were signed in April 1997. Project specialists conducted seminars in the cities of Vyborg, Kazan, and Samara to mark the beginning of the Project's work there.

Of the cities from the Pilot Project (Novgorod, Irkutsk, Tver, and St. Petersburg - Block 130 and Pushkin), all but Pushkin were selected for continuation of work on their regulations and as potential sites for testing subtask manuals. (Pushkin was not selected for continuation under the Project due to local political reasons.) With the selection of these four cities, the Project worked in a total of seven cities and tested the subtask manuals in a total of six cities. Toward the end of the project, limited consulting services were provided to the city of Moscow. All in all, the Project provided consulting services on land use to seven Project cities and limited advice to the city of Moscow.

The following table summarizes Project activities in each of these cities.

City	Activity
Moscow	Land Use office, primary contacts and coordination with central ministries and agencies (USAID, Ministry, Roskomzem) and other USAID subcontractors (UI, ILBE, PADCO Inc.) and projects (DURER, CEFED). Participation in training events. Selection of privatized organizations.
St. Petersburg	Monitoring the process of adoption of Block 130 regulations. Coordination of the efforts to create zoning regulations for Vyborg with the office of the Chief Architect of Leningrad oblast. Subtask testing. Selection of privatized organizations.
Novgorod	Monitoring and improving the Novgorod Land Use regulation. Primary city for testing of manuals. Selection of privatized organizations. Contacts and coordination with Regional Investment Initiative (RII) Project.
Kazan	Creation of a Land Use work group. Land Use regulations. Training events. Manual testing. Selection of privatized organizations. Identifying and training new officials and professionals.
Vyborg	Creation of a Land Use work group. Land Use regulations. Training events. Manual testing. Selection of privatized organizations. Identifying and training new officials and professionals.
Tver	Monitoring the process of adoption of the Land Use regulations. Manual testing. Selection of the privatized organizations.
Irkutsk	Monitoring the process of adoption of the Land Use regulations. Manual testing. Selection of privatized organizations.
Samara	Creation of a Land Use work group. Land Use regulations. Training events. Selection of privatized organizations. Identifying and training new officials and professionals.

Commitments from Institutes and Firms

The number of private, non-governmental and government organizations that wanted to participate in the project greatly exceeded the eight firms required by the Project Task Order. Project management had to establish a number of filters to select the planned eight design firms. The following table shows the organizations that either contacted the Project or were contacted by the Project and which participated in the Project in some manner.

Companies, Firms and Institutes

Organization	Location	Type
1.Fund for the Reconstruction and Development of Russian Cities	Moscow	Quasi-governmental
2. Moscow State University Law School		Governmental
3.Moscow Architectural Institute		Governmental
4. Mosproject-2		Quasi-governmental
5. Moscow State University on Land Use		Governmental
6.Moscow Development and Planning Fund		Private
7. Institute for Urban Economics		Private
8. NIPIGRAD	St. Petersburg	Private
9. Regional Social Fund for Urban Development of St. Petersburg.		Quasi-governmental
10. Vyborggrazhdanproject (branch of Lengrazhdanproject).	Vyborg	Governmental
11. Kontar Co.		Private
12.Recon Co.	Samara	Private
13. Pritsker Design Workshop		Private
14. Samaraarchproject		Private
15. ARTA		Private
16. Kazangrazhdanproject	Kazan	Governmental
17. The Union of Tatarstan Architects*		Quasi-governmental
18. School of Architecture, Irkutsk State University	Irkutsk	Governmental
19. Tri Veka Co.		Private
20. Novgorodgrazhdanproject	Novgorod	Private
21. Dialog		Municipal
22. Rakurs Co.		Private
23. Tvergrazhdanproject	Tver	Private

* The Union of Tatarstan Architects includes 24 private design agencies that automatically were involved in the Land Use project as possible candidates for selection.

Some institutions and private design and planning firms displayed considerable interest in the project in its early stages. Letters of interest were received from NIPIGRAD (St. Petersburg), Tri Veka Co. (Irkutsk), Samaraarchproject (Samara) at the outset. Other companies were committed to actively cooperate with the Land Use Project as a result of the provisions in the local MOU. For example, in Samara Rekon Co. was hired by the city administration to work on the zoning plan. In other cities, municipal design organizations rather than private ones were engaged by the local Administration to assist in developing the rules. Such was the case in Kazan, where Project specialists worked with experts from Kazangrazhdanproject.

In some cities, non-private entities expressed their desire to participate in the project and sent letters of interest. Most of these companies were included on the Project's mailing list and materials were sent to them on a regular basis. Some of these organizations were invited to participate in some of the Land Use seminars. Most of these firms were in the process of transition from governmental to private forms of ownership or were performing contracts on a commercial basis but were not organized as a legal private entity, and thus had a considerable Land Use potential and would benefit from the project materials.

Private firms from the cities of Novgorod, Tver, and Irkutsk continued their commitment and worked in close cooperation with the project experts. Moscow-based organizations also have shown considerable interest in the Project as is reflected in the above table.

PART II.

DRAFT LAND USE REGULATIONS

Land Use Regulations - The Process

In developing the draft Regulations and selecting approaches to prepare them, project specialists considered:

- a. the special features of each city;
- b. the previous experience gained in Novgorod, Tver, Irkutsk, Pushkin and St. Petersburg (Block 130);
- c. the similarities of the work that had to be done in each city.

This section of the Report focuses on the similarities in each city's work with the hope that these generalized procedures may serve as a model for conducting the same kind of work in other Russian cities.

The development of the Land Use Regulations consisted of four basic stages:

- a. Organizational stage (establishment of a working group and subject matter groups within it, preparation of a work plan);
- b. Preparing the foundation for the zoning documents;
- c. Developing the local draft Regulations;
- d. Coordination and approval of the draft regulations with city administrative agencies.

For most cities, the fourth stage, seeing the draft regulations through to adoption by the cities, went beyond the time frame and the scope of the Project. Kazan was an exception. Because of the motivation of city officials and the resources devoted to the draft Regulations, Kazan was able to adopt them in June 1998.

The **first stage** (organizational) consisted of establishing a working group and preparing a work plan. The working group consisted of representatives of the local city administration - the Architectural and City Planning Agency, the Land Committee, the Municipal Property Management Agency, the Historical Preservation Agency, the Environmental Protection Agency, the Hygiene and Disease Control Agencies, the Legal Department and other city agencies. Representatives from oblast administrations were also included in the working group (or participated in it on a temporary basis) in order to address issues of mutual (city and oblast) jurisdiction.

The city administrations supported the working group's activity by providing premises, equipment, and communications, all at the city's expense. In addition, with the exception of the project consultants, the members of the working group were, as a rule, paid by the city administration as if they were working on routine, city matters. This also applied to local consultants who were hired to assist in the working group's efforts.

In some cases, special subject matter groups were established for the following issues:

- a. preparation of maps and legends (types and parameters of permitted uses and construction alterations to real property);
- b. procedural issues on land use and development;
- c. historic preservation issues;
- d. environmental protection issues.

The work plans established for a specific city covered three time frames:

- a. a general plan for the entire period of work;
- b. a plan for the next 2-3 months; and
- c. a detailed plan for each month.

These plans were supplemented and changed as the work progressed. In addition to the time frames and responsible parties, the work plans also contained a description of the final product and the methods for its presentation, consideration and amendment by local agencies.

The **second stage** - preparation of the foundation for developing the zoning documents - consisted of two parallel tasks:

- a. preparing the substantive basis (economics, planning, engineering and resources, ecological and so on) for developing the zoning documents;
- b. preparing the formal legal basis in order to improve the existing land use procedures and adapt them to the emerging real estate market.

The preparation of the substantive bases for the zoning documents consisted of two main areas of work.

- a. an analysis of the situation and preparation of proposals on principles for the city planning policy which were accomplished by:

- 1) reviewing local newspapers for planning and real estate issues for a two-year period;

- 2) preparing a list of existing city planning documents (including data on drafters, agencies which coordinated and approved the documents, and dates of approvals), main provisions of the existing city planning documents, development of a special map illustrating “coverage” of the city area by the city planning documents;

- 3) identifying issues, conflicts, and problems for which the existing documents do not provide any solution, or they provide out-of-date, inadequate solutions from the point of view of changes which have occurred in the city during last few years, new legislation and new economic relations; and

- 4) preparing an analytical paper on the local administration’s city planning policy for the forthcoming period. Several provisions and managerial principles compensating for absence or inadequacy of solutions for key city planning issues provided by the existing city planning documents are given in this note based on the performed analysis. The expected consequences of the assumed city planning policy are also described there.

- b. preparing basic subject matter maps and the first draft of the general zoning map from:

- 1) a map of existing land uses;

2) field observations of city districts to determine existing land uses and identification of misuses; amendments to the map of existing uses based on field observations;

3) map of existing and planned engineering infrastructure (this map is prepared from the point of view of the infrastructure capacity to serve all or a certain number of new construction and reconstruction sites in different parts of the city); and

4) a number of maps of land use restrictions according to historical preservation restrictions, requirements of ecological, hygiene and disease control agencies.

The preparation of a formal legal foundation to improve the existing land use procedures and adapt them to the emerging real estate market consisted of:

a. an analysis of the laws and other legal acts at the federal, oblast and local level regarding land use, including the following issues:

1) development, coordination and approval of city planning documents;

2) allocation of land for construction;

approval of architectural and construction documents and granting a construction permit;

4) control over construction and acceptance of finished sites;

5) levying penalties for violation of construction laws;

6) preservation of historical and cultural landmarks, environmental protection;

and

7) other issues.

b. interviews with city officials and representatives of different city agencies regarding procedural issues;

c. identification of standard situations and procedural patterns used in the city;

d. preparation of the concept for improving the existing city procedures from the point of view of providing investors with long-term rights to land at the initial stages of the investment and construction process; and

e. amendments to and approval of a working group concept in order to apply this concept as a logical basis while developing the text of the regulations and considering procedural issues.

The **third stage** - preparation of the local Land Use Regulations - consisted of two main areas of work:

a. preparation of the zoning maps and legends by:

1) developing concepts for different territorial zones and recommended combinations of land uses within these zones:

2) developing a preliminary zoning “outline” and identifying the main zones: residential, industrial, professional, recreational;

3) defining detailed zoning within larger zones;

b. preparation of the first draft of the map with a list of permitted uses for each zone based on the concept.

c. preparation of the map for supplementary land use restrictions:

1) historical and cultural preservation restrictions map;

2) water protection, riparian zones and industrial buffer zones as well as other ecological restrictions map;

d. making decisions on territorial boundaries and sites of mutual jurisdiction of different agencies connected with the existing boundaries of restriction zones, which included the following issues:

1) if a land parcel is located in several restriction zones (the standard zone, and historical and cultural preservation, environmental protection zones) how many and what agencies are authorized to approve the decisions of developers and on what issues (types of land uses, construction parameters, characteristics of general appearance);

2) what procedures should be applied to resolve these issues (should the approving agencies wait until other agencies make their decisions or should all decisions be made concurrently).

3) development of permitted construction standards for different types of zones: maximum and minimum land parcel sizes, setbacks from parcel boundaries, maximum height/number of stories of buildings, maximum floor area ratio, maximum building coverage ratio. (This issue was considered primarily for residential zones because of the time frame of the Project and the complexity of these problems in industrial and commercial zones).

Drafting the text of the Regulations (for procedural issues) included:

a. developing an outline of the document taking into account:

1) the entire range of typical land use situations;

2) the possibility of phased amendments specifying certain aspects of procedural standards (such as simplification of approval procedures of architectural and construction documents, establishment of a set of unified forms for consideration of certain issues) to the regulations after they are approved;

b. incorporating the following principles based on the concept:

1) granting long-term rights to land at the initial stages of the investment and construction process instead of at the end as is the case now;

2) presenting precise land use restrictions prior to preparation of architectural and construction documents;

3) simplifying the whole process of obtaining all permits and approvals;

4) rational cooperation of all agencies involved in regulating land use and development, primarily based on identification of the precise jurisdiction of each of these agencies and the territorial boundaries within which these agencies are authorized to approve specific issues;

5) the possibility of implementing necessary amendments by phased actions (including the establishment of a transitional period).

The **fourth stage** - coordination of draft regulations with city administrative agencies - is a part of the general process of coordination where not only administrative agencies but also public organizations, various professionals, mass media, representatives of the legislative body (which will adopt this legal act later on) have a chance to participate in the process. This fourth stage included:

a. consideration of intermediate results during implementation of the Project;

b. presentation on behalf of the working group of 2-3 subsequently improved drafts of the Regulations;

- c. incorporation of the comments and proposals of administrative agencies into the Regulations;
- d. seminars on various aspects of zoning while the draft regulations are being coordinated;
- e. presentation of a comprehensive, amended draft regulation to the city administration.

Project specialists conducted training and disseminated information to local professionals and officials throughout the course of the Project's implementation in each city. There were professional discussions, meetings, and written advice on different aspects of zoning and related issues. (See Part IV of this report)

Land Use Regulations - The Product

The following were integral parts of every draft of the local Regulations:

- a. the combination of procedural standards and the zoning map and legend (a list of permitted uses and construction parameters for every zone) in a single document;
- b. articles concerning a special land use regulatory agency;
- c. procedures for making changes and amendments to the Regulations;
- d. a description of procedures for making construction alterations to real estate.

All of the Regulations prepared during the Project contain a section on special commissions. Although these commissions have different names in different cities - Commission on Land Use and Development (Novgorod, Tver, Samara), Commission on Development and Land Use (Kazan), Commission on Planning and Zoning (Irkutsk), Commission on Planning, Land Use and Development (Vyborg) - their functions are basically the same. The commissions hold public hearings on land use issues with the participation of all the interested parties - property owners, developers, builders, abutting property owners, independent professionals, etc. The purpose of the public hearings is to bring all these parties together to resolve potential conflicts as much as possible.

Specific local issues determine the membership of the Commission. Usually it includes:

- a. representatives of the administrative branch,
- b. representatives of legislative branch, and
- c. representatives of business, professional and public interests.

Sections on procedures for introducing amendments and changes to the Regulations are also integral parts of these documents. These sections define:

- a. what amendments and changes to the Regulations are and what changes can be made to the restrictions set on the use of specific parcels;
- b. who has the authority to introduce amendments and changes and what rights property owners and individuals have; and
- c. procedures for introducing amendments and changes including procedures for holding public hearings and other related issues.

The sections describing the procedures for making construction alterations to real estate significantly alter the prior practice. The substance of the approval process for

investment and construction plans has changed. Before, this process consisted of multiple “creative” actions of city officials who made decisions “at their discretion”. Now, under the procedures established by the Regulations, it is the matter of checking investment and construction plans against the restrictions and standards established by the Regulations. If they meet those restrictions and standards, they are approved. If they don’t meet them, they are disapproved. The Regulations remove some of the arbitrariness from this process.

There are some sections which are included in the Regulations of some cities and not included in the Regulations of other cities, for example:

- a. procedures for forming land parcels as real estate units by using subdivision plans (contained in all the Regulations cities except for Samara and Vyborg);

- b. the procedures for the city administration to grant long-term rights to land for construction (contained in all the Regulations except for Irkutsk and Vyborg).

It should be noted that the presence or absence of these sections in the Regulations does not have any positive or negative connotation. All of the Regulations legally define permitted real estate uses, create the prerequisites for establishing land parcels as real estate units and improve the procedures for granting long-term rights to land. The question is when these improvements will be implemented. Due to the specific local situations, some cities may gradually implement the improvements while others may do it quicker. As for specific examples, the procedures for the initial grant of long-term rights to land by city administrations in the Regulations of Novgorod, Tver, Samara and Kazan are described.

In the Regulations of these cities, long-term rights to land (in the form of a 49-year lease or ownership) can be granted after architectural and construction documents are approved (and not after the construction is finished and the site is registered as is the case under the old system). In Novgorod, for example, once the Regulations are amended with maximum and minimum construction parameters, it will be possible to obtain long-term rights to land even before the architectural and construction documents are developed and approved. In Kazan, the city administration decided to go even further: to provide the possibility of acquiring long-term rights to land at the beginning of the investment and construction process, before preparation of a large-scale construction plan. Project specialists developed a special legal document for this purpose - the Certificate of Permitted Land Use.

Amendments and Changes to the Regulations

Throughout the course of the Project, specialists worked to improve the Land Use Regulations for Novgorod, Tver, Irkutsk and St.-Petersburg (Block 130). The work in Novgorod can serve as an illustration of this work. In this city, the Regulations have been in effect since January 1, 1997. During the final stage of the Project, city officials were given a number of suggestions for amendments and changes to the existing Regulations. The main outline of these suggestions was as follows:

- a. corrections to the structure of the Regulations;
- b. amendments to sections:

- 1) parameters of permitted construction within residential zones;
- 2) maps of water protection zones and legends to them;
- c. corrections to certain articles of the Regulations regulating the construction process within zones with historical preservation restrictions.

These suggestions were the result of joint efforts of Project specialists and local specialists who work with the specially created Land Use and Development Commission. This constitutes a very important precedent in Russian practice where an existing legal act is improved by gradually preserving and strengthening its ideological and substantive foundation. The Regulations therefore become a self-correcting document. As the city gains experience using the regulations, it can amend or change them to incorporate the lessons learned. The procedures for amending and changing the Regulations are spelled out in them.

Recommended Future Actions

Two sets of actions for building on the Project results should be undertaken by city officials after Project close-out:

- a. coordinate the draft Regulations and arrange for their adoption by the local legislative body.
- b. establish a plan to monitor the implementation of the Regulations and procedures for amending and changing them based on the results.

The following are some actions which can be taken depending on the specific circumstances in each city.

To coordinate the draft Regulations and arrange for their adoption by the local legislative body:

- 1) coordinate the text of the Regulations with administrative agencies of the city and oblast;
- 2) incorporate necessary changes and amendments in the draft Regulations based on comments and suggestions from these agencies;
- 3) discuss the draft Regulations at a seminar with real estate and land use professionals;
- 4) hold public hearings to discuss the draft Regulations with all interested parties;
- 5) arrange a news campaign in the mass media (a series of interviews with drafters at the local radio and television stations, publication of a few articles in local papers, a special television program devoted to this issue);
- 6) arrange a series of meetings-seminars with representatives of the local legislative body.

Establish a plan to monitor implementation of the Regulations and procedures for amending and changing them:

- 1) establish a monitoring system to track implementation of the Regulations (such materials were prepared and presented to the Novgorod administration);

2) develop permitted construction standards for zones where they have not been established by the existing Regulations (similar to the work accomplished during the Project to amend the Novgorod Regulations with standards for residential zones);

3) develop permitted construction/reconstruction standards as well as an album of recommended architectural solutions for landmark preservation zones (the right scale of facades which corresponds to existing ones, stylistic features of facade decorations);

4) develop ecological restrictions as necessary (similar to the map of water protection and riparian zones which was developed as an amendment to the Novgorod Regulations);

5) prepare a manual for investors and developers on implementation of the Regulations;

6) develop a local legal act - Provisions on Substance, Procedures and Approval of Architectural and Construction Documents (to be included in the Regulations as an amendment);

7) develop a local legal act - Provisions on Subdivision of the City Area into Land Parcels (to be included in the Regulations as an amendment);

8) prepare a package of application forms, approvals, permits for the different procedures connected with land use and development;

9) develop a local legal act - Rules of Regulating Land Use and Development on Suburban Territories Which are Under Mutual Jurisdiction of Several Administrations..." (expansion of zoning to suburban areas; a package of appropriate materials was presented to three administrations of the Novgorod region as a basis for follow on work);

10) prepare a series of programs and plans for implementation of the Land Use Regulations, specifically:

(a) plans on subdivision of the city area into land parcels (these were developed in Novgorod and Tver);

(b) programs and plans for financing, building and rehabilitating the municipal infrastructure;

(c) a program to grant long-term rights to land to investors and developers;

(d) a program to promote relocation of ecologically harmful enterprises;

(e) programs and projects to revitalize the city center.

PART III. MANUALS ON LAND USE ISSUES

General

This Project is unique in its attempt to reform the existing land use system in the Russian Federation. According to RF Law 154, “On the Basic Principles of Local Self-Governance [Home Rule] in the Russian Federation,” the regulation of city planning and development issues, as well as control over land use, are under the jurisdiction of local agencies. The Land Use Regulations developed by the Project make the provisions of the law more concrete in the following respects:

- a. they transform the Genplan and PDPs from legal documents (which established the targeted use of land and provided for its allocation and alienation) into city planning documents;
- b. they set procedures for establishing and changing city land designations;
- c. they set procedures for obtaining construction approvals and permits;
- d. they set procedures for control over construction and use of city land.

In contrast with legal acts of the Soviet period, the Regulations are intended not only for administrations and government agencies but also, and primarily, for private real property owners. Control over land use at the local level includes precise monitoring procedures starting with alterations to real estate initiated by property owners up to control over use and operation of real estate.

However, issues of local regulation face a number of problems connected with existing federal laws which, in some cases, require government control over issues directly linked with local land use. These are, for example,:

- a. issues of ecological protection, which are under the jurisdiction of three vertical layers of government: nature protection committee, water resources protection committee, committee on hygiene and disease control;
- b. issues on preservation of cultural and historical heritage which are under the jurisdiction of historic and cultural preservation committees;
- c. issues of construction safety which are under the jurisdiction of GASN (state agencies for architectural and construction control);
- d. issues on allocation of state land for construction which are under the jurisdiction of land committees, property funds and others.

As a result of the “overlapping” of old management methods and new trends in local land use regulation, a complicated and “non-transparent” system of obtaining permits has developed. Under this system, investors have to obtain a number of approvals and permits from one and the same agencies. This Project developed manuals to assist local administrations in finding solutions to some of the problems mentioned above by coordinating “vertical” and local rules and standards, by adjusting state standards to local conditions, by improving permitting procedures, and by preparing various approval forms and drafts of agreements and contracts.

The overall purpose of the manuals was to provide assistance to cities in solving certain land use and development problems which were not covered by the Regulations. To accomplish this objective, specific goals were established:

- a. to recommend procedures for regulating relations between regional government agencies and local agencies on issues of mutual jurisdiction in the area of land use;
- b. to recommend procedures on regulating relations between different local agencies and private developers regarding land use and development;
- c. to propose standards for subdividing land for different kinds of development;
- d. to recommend a mechanism to reserve land for future public use;
- e. to shift the existing project approval procedures by historic preservation and environmental protection agencies into the general permitting process;
- f. to suggest forms and drafts of agreements, certificates and other legal documents on issues related to land use and on the restrictions and burdens on different forms of land ownership.

City Selection

The primary criterion for selecting cities for testing was the existence of Land Use Regulations prepared during the Pilot Project or this Project. All the project cities met this criterion, but only six were selected for testing. Among the Pilot cities, Novgorod, Tver and Irkutsk were selected. These three cities already had experience in developing the Regulations: they had trained local specialists and they had administration support of the Project. Of the new cities, Kazan and Vyborg were selected and the testing was carried out in conjunction with the development of the Regulations there.

Other criteria were:

- a. the city's interest in a specific subtask;
- b. the availability of the appropriate resources and preferences of the Project specialists;
- c. availability of appropriate materials and documents in a city as well as plans for developing a particular area;
- d. availability of funds in the city to assist in financing this work.

Novgorod - the city where all the subtasks were tested except for "Reservation of Land for Future Public Use." Novgorod was selected because Land Use Regulations developed during the Pilot Project were adopted and have been in effect. In addition, local officials in Novgorod have consistently taken a progressive approach to land use issues.

Tver - selected to test the Subdivision manual at the request of the city administration to provide help in preparation of a number of areas for development. The area of Krasnaya Sloboda was selected as a test site where it was possible to test subdivision methods together with other subtasks as well as approaches to planning reorganization and development of investment projects.

Irkutsk - selected to test the subtask "Preservation and Development of Historical Buildings and Historical Areas" because the foundation for this work had been prepared during the Pilot Project and the city was interested in continuing this work. In addition, international historical preservation organizations are interested in Irkutsk because of its old wooden residential stock.

Vyborg - selected to test "Reservation of Land for Future Public Use" subtask because the local administration expressed an interest in this subtask due to its desire to resolve transportation and other problems connected with land reservation.

Kazan - selected to test the Development Process on Leased Land primarily because of the interest displayed by the Chief Architect and the local Working Group.

Manuals - The Process

The process of preparing the manuals consisted of three main stages. The first stage covered the period February - June, the second July - October, the third November - January 1998. Each of the stages included two interrelated components:

- a. writing the text of the manuals;
- b. work in the city connected with organizational and technical aspects and testing.

The **first stage** of the process consisted of:

- a. preparation of a first draft of the manual including:
 - 1) analysis of Russian and Western practice;
 - 2) analysis of the legal foundation in that area;
 - 3) gathering and analyzing the initial data received from the city;
 - 4) summarizing the results of the Pilot Project connected with the subject matter of the manual;
- b. work in the city, including:
 - 1) concluding an agreement with the Head of the City Administration on cooperation
 - 2) meetings with representatives of the local administration and local representative agencies, supervising agencies, other public and private city organizations in order to obtain initial information and/or to work out a plan of mutual action;
 - 3) creation of a working group of representatives of the local administration and/or local specialists;
 - 4) gathering statistical and graphical information, city planning documents, local legal acts; and
 - 5) selection of sites for testing.

The **second stage** consisted of:

- a. writing a second draft of the manual including:
 - 1) amending the text of the first draft based on comments of American experts;
 - 2) preparation of procedural recommendations, draft agreements and contracts, standards and parameters;
 - 3) preparation of amendments and changes to the Regulations for issues related to the subject matter of the manual.
- b. work in the city, including:
 - 1) meetings with the working groups to acquaint them with the text of the first draft and to get their comments and suggestions;
 - 2) development of graphics, preliminary maps, charts and plans with participation of local specialists;
 - 3) consultations with representatives of the local administration, local specialists, employees of city technical inspectorates, legal departments.

The **third stage** consisted of:

a. preparation and completion of the final drafts of the manuals, including:

- 1) results of the testing of the second and the third stages based on comments of the working groups and representatives of the local administration;
- 2) completion of work on procedural recommendations, standards and parameters, draft agreements and contracts;
- 3) improvement of the structure of the manuals and illustrations.

b. testing of the manuals in the cities, including:

- 1) in cooperation with city specialists, improvement of the texts of the agreements, contracts and other legal acts and documents;
- 2) development of draft suggestions and maps for certain subtasks of the Project;
- 3) consultation with the city on the recommendations; discussion and conclusion of the agreements, use and approval of procedural materials, incorporation of the parameters and standards in the Regulations.

Manuals - The Products

“Preservation and Development of Historical Buildings and Historical Areas”

Summary: This manual suggests different approaches to development of local city planning standards for historical areas and their incorporation into the general system of local regulation. The manual also contains sample forms and regulations

Results: A model for regulating land use within historical areas is proposed together with the results of its testing in two cities - Novgorod and Irkutsk. Sample application forms are also provided on reimbursement of funds for reconstruction and renovation of historical buildings and sample forms of a certificate of appropriateness of planned work on a historical building to its preservation requirements.

“Environmental Protection and Land Use Regulations”

Summary: The manual recommends methods for incorporating water protection and riparian zones into Land Use Regulations, for coordinating procedures with preservation agencies, and for incorporating these procedures into the general permitting process. Sample regulations and forms are provided.

Results: The manual was tested in Novgorod where the city administration is interested in future development of this work as well as in improvement of the local “Temporary Provisions on Riparian and Water Protection Zones”. A draft set of amendments to the existing Novgorod Land Use Regulations was developed. It contains additional standards for areas located near watercourses (riparian zones, water protection zones and flood plains).

“Development Process on Leased Land”

Summary: This manual recommends methods for improving the existing procedures for allocating land for development and for improving the relationship between the city administration and private developers in long-term lease rights. A sample long-term lease is provided.

Results: Procedures of land allocation for development were included in the draft Land Use Regulations of Kazan. A sample lease agreement was tested by taking into account comments and proposals of different government agencies of Kazan. The draft lease agreement was considered by the administration of Kazan and has been recommended for adoption. The Commission on Land Use and Development in Novgorod considered the Certificate of Permitted Land Use.

“Interjurisdictional Land Use Issues”

Summary: This manual describes the different types of relations which emerge between horizontal and vertical layers of government agencies while planning and regulating land use. Primary attention is paid to relations between “neighboring” municipalities while planning the use of their land. The authors suggest ways of settling conflicts of interests and disputes by executing multi-lateral agreements on mutual jurisdiction. Sample agreements are provided.

Results: The manual provides drafts of various legal documents, such as a law of the Subject of the Federation “On Mutual Regulation of Land Use and Urban Planning Relations in Adjoining Areas”, a draft Mayor’s Resolution “On Developing Zoning Documents for Suburban Areas” and a draft “Program for Developing Zoning Documents for Suburban Areas”. These drafts are presented in this Manual and were used as the basis of comparable documents in the city of Novgorod.

“Reservation of Land for Future Public Use”

Summary - This manual describes the range of public needs for which the reservation of land is required. The manual provides examples of reserving municipal, state and private land.

Results: Procedures for an inventory of lands reserved for never implemented projects (PDPs) was suggested from the point of view of feasibility of reserving land for public needs. Also a procedure and an outline of actions for agencies of different level of authority regarding reservation and alienation of land for state and municipal needs.

“Servitudes”

Summary: This manual covers a large range of issues on land use restrictions and burdens. It includes many practical examples of servitude relations in land use, describes their legal basis, and provides sample servitude agreements.

Results: The following draft documents were prepared which may be used for concluding servitudes agreements: Typical Servitude Agreement on Establishment and Operation of a Power Line; Typical Servitude Agreement on Access to a Public Road;

Typical Servitude Agreement on Excavation Work on the Boundary and Entering Upon the Property. The materials received positive comments from the Land Use and Development Commission in Novgorod where they were forwarded for review.

“Subdivision of Urban Land”

Summary: This manual suggests approaches to subdivision of city lands into parcels for developed and undeveloped areas. The manual also suggests the methods for defining the land parcel sizes for different types of land uses as well as approval procedures for subdivision plans.

Results: This manual was tested in Tver and Novgorod. It contains draft documents and a method for approaching subdivision problems in Russian cities. With these materials, cities may develop their own subdivision regulations, standards and parameters as well as a real estate registration system.

In addition to their applications in the test cities, materials from three of the manuals (Subdivision, Historic Preservation, and Development on Leased Land) were incorporated in draft federal bills, two of which have been adopted:

Resolution of the Government of the RF “On Establishment of Provisions for Defining Sizes and Establishment of Boundaries of Land Parcels in Condominiums” dated 26 September 1997 N1223.

Resolution of the Government of the RF “On Establishment of Sale (Auction and Bidding) Procedures for Sale of Land to Citizens and Legal Entities Located within Cities and Settlements or Land Lease Rights”

Two other bills are still being considered by the Federal Duma:

RF Bill “On Cultural Sites (Historical and Cultural Landmarks) of the People of the RF” passed though first hearing.

Draft Urban Planning Code of the RF.

Recommended Future Actions

The manuals covered a broad range of land use and development issues. According to the RF Constitution, Article 36, Part 3 “...the conditions and procedures of land use are established by federal law”. On the other hand according to the RF Law “On the Basic Principles of Local Self-Governance in the Russian Federation,” control over land use as well as planning and development are under the jurisdiction of local agencies.

In this respect, the issues considered in the manuals are under the jurisdiction of different levels of power. Issues related to the disposition and sale of land in cities, reservation of state lands, division of power between state and municipal agencies in the area of land use monitoring and some other issues are under the mutual jurisdiction of the RF and the subjects of the RF. Other issues, for example, concluding land lease and servitude agreements; documents on land reservation for municipal needs; planning, subdivision and development regulations; are under the jurisdiction of local authorities. Consequently, some of the manual provisions were included in bills and laws of the government (RF and subjects of the RF) and some were included in local legal acts.

Therefore, it is reasonable to assume future implementation of the Project results, regarding preparation of legal acts, may develop as follows. The manuals are primarily intended for city administrations since the majority of the issues considered fall under local control over land use and development. The main legal acts in the area of land use and development are the Land Use Regulations. The Regulations may contain parameters and procedures under the government’s jurisdiction if appropriate authority is devolved to local agencies.

Areas where it would be useful to transfer some government authority to municipalities concern:

- a. the transfer to local jurisdiction of issues related to establishment of the designated land use and changes in the designation of land (zoning and changes of zoning);
- b. incorporation of provisions in the general zoning regulations on use of historical, cultural and ecologically sensitive lands which are regulated by federal laws;
- c. incorporation of federal control and approval procedures exercised by vertical state agencies (Historic Preservation, Environmental Protection) into the general permitting process;
- d. incorporation of the government control procedures over construction and real estate use in the general local land use control;
- e. restrictions on establishment and registration of the “targeted” land use: this should be applied only to lands used and reserved for public needs.

The resolution of these issues at the local level will require legislative support from the government in the form of laws of the RF and subjects of the RF as well as in the form of model laws which would establish general procedures.

One of the most important areas for local legislation is the development of standards and technical (city planning) parameters. This issue is directly related to subdivision and the formation of real estate units. Therefore, in addition to local zoning regulations, the

Regulations should contain subdivision regulations. These regulations can be developed as a separate document, contain subdivision plan approval procedures and be adopted by the city Duma. At present, according to the Order of the RF Government (Government Resolution N 369, dated March 30, 1998) Gosstroy and Roskomzem were instructed to develop and approve procedural documents for calculation of parameters of land parcel sizes in condominiums. The authors of the Subdivision manual were in the working group which was preparing these documents. Based on the documents that are developed, cities and oblasts should develop their own procedures which will then be adopted by the subject of the RF or by local agencies, if they receive the appropriate power.

PART IV. TRAINING, EDUCATION AND DISSEMINATION OF INFORMATION

Training of Local Officials and Professionals.*

Work on this component led to a program that became a vital element of the overall effort. The Land Use Training program was originally developed not only to expose the administration officials and professionals to new concepts but also to identify and train the officials and professionals to develop, maintain and improve the Land Use system in their cities.

Initial start-up seminars were conducted in each new city to promote the Project. They served a variety of purposes, for example:

- a. Attendees realized that the Land Use Project was approved by the local administration and that it was being implemented throughout Russia.
- b. Professionals and officials were able to discuss planning and development issues frankly and informally.
- c. The success of land use reforms in other cities was publicized.
- d. Local media covered all the seminars. Local newspapers and TV stations carried information on the seminar and on land use issues.
- e. The Land Use information brochure was distributed directly to target groups.
- f. Pressure was brought to bear on opponents of Land Use reform.
- g. Complex legal issues were explained by legal experts on the spot.
- h. Potential benefits to the city were explained by credible figures.

As noted, the top Administration officials (Mayor, Deputy Mayor, Chief Architect) were in a good position to endorse the Land Use project publicly and pacify opponents. But probably the best measure of importance of these programs was that they were implemented through the combined effort of the Administration and the project specialists and the financial burden was shared, or, in some cases, it was completely covered by the local administration. This also attested to the administration's initial support for the Project.

New Cities and Level of Support Provided to the Land Use Project.

* A list of identified officials and professionals is in Appendix # 1

(See the Seven Manual deliverables for the testing input of cities).

City	Level of Support
Vyborg	Training seminar: Space Regulations: Office facilities (Computer, fax, telephone, office furniture, space); Two professional planners. Subtask testing
Samara	Training seminar: Space; Partial payment for coffee-break; Production of their own hand-outs. Regulations: Office facilities (Computer, fax, telephone, space, office furniture); Two professional planners.
Kazan	Training seminar: Space; Partial payment for coffee-break; Production of their own hand-outs. Regulations: Office facilities (Computer, fax, telephone, office furniture, space); At least two professional planners. Subtask testing
Novgorod	Subtask testing
Tver	Subtask testing
Irkutsk	Subtask testing
St. Petersburg	Subtask testing

The same approach was used for other training events and, as intermediate in-depth seminars, work shops, presentations and hearings were conducted in the cities, the local administration was responsible for organizing these events and providing training facilities.

The Administration selected the organization that would assist project experts with work on the map and the zoning rules. Five expatriate specialists worked at different periods of time on an as needed basis with the work groups. The actual training was performed on-the-job and as the city experts were preparing the zoning map and the text of the rules they went through a certain exercise where an expatriate specialist was a trainer. With the phase-out of the expatriate staff such functions were carried out by the Russian land-use specialists.

The training component also provided materials and information to officials from non-project cities in a series of seminars conducted by the Union of Russian Cities in the fall - winter of 1997. A total of 100 city officials from 22 cities attended these seminars and heard lectures and discussions on the Land Use and Zoning issues. The Project information brochure was distributed to all attendees. Project personnel pointed out the success of the Land Use Project in other cities (like Novgorod), explained the current status of the Project, and discussed the benefits a city might see after introducing a modern land use regulatory system.

A study tour was organized by USAID and five city officials from Samara, Kazan and Vyborg visited the United States for training in real estate. All of them acknowledged afterwards that this tour helped them gain a better understanding land use and zoning fundamentals better and assisted them in their efforts to adapt the systems in their cities to the current requirements of an emerging market economy.

A summary list of all the training events is included below. The total number of officials receiving training through these combined efforts is shown in Appendix 1. As can be seen, the total number trained greatly exceeds the original goal.

A List of Training Events for the Land Use Project

1. Introductory training seminars - 4

Place	Date	Number of participants	Cooperating agencies
Vyborg	April 15, 1997	40	City Administrations
Samara	April 24, 1997	70	
Kazan	May 21, 1997	300	
Samara*	November 20, 1997	75	

In all training events, the City Administrations provided inputs for the events out of local budgets.

* The second introductory seminar in Samara was required due to the elections of the new mayor and a consequent reshuffle in the administration of the city.

2. Interim training events - 3

Place	Date	Number of participants	Cooperating agencies
Vyborg - St. Pete	December 26, 1997	25	City Administrations
Samara	October 2, 1997	18	
Kazan	October 8, 1997	22	

3. Final Training Events - 2

Place	Date	Number of participants	Cooperating agencies
Moscow (DURER)	April 15 - 16, 1998	20	City Administrations
Moscow (Land-Use close out)	June 18 -19, 1998	50	

4. Auxiliary Training Events - 3

Place	Date	Number of participants	Cooperating agencies
USA (study tour)	December 1996 - January 1997	3 (ILBE staff) + 5 city officials	City Administrations
USA (study tour)	November - October 1998	2 city officials, 3 professionals	
Moscow (Union of Russian Cities seminars)	October 1997 - February 1998	100 city officials	

Continuation of Consulting Services

To fulfill this program objective, viable, independent Land Use entities were required. Project specialists identified three groups of candidates to continue the Project's activities, namely: educational facilities (Universities and Colleges), privatized firms that were developing land use know-how, and municipal agencies that use land use techniques in their day-to-day work.

The last two categories will be discussed first. They fall into two distinct groups: Moscow/St. Petersburg-based organizations where the land-use knowledge originated and other city-based organizations to which the land-use knowledge was transferred. These components were created or already existed locally and centrally in Moscow. Other organizations that existed outside project cities were not selected. Different organizations and

firms with a different form of ownership opted to have capabilities of advisory services and a special set of criteria was developed to select the most capable.

As shown in Appendix 2, Tri Veka (Irkutsk), Recon (Samara), RAKURS (Novgorod), the Institute for Urban Economics (Moscow), and the Urban Planning Reform Foundation (Moscow) had the best scores among the organizations rated according to the Project's criteria. Educational institutions (universities and colleges) that had aspirations to become candidates for selection could not qualify because they are not privately owned. However, their willingness to participate was put to good use; they now serve as repositories for project materials that are easily accessible and open to everyone.

Manuals and Educational Materials

Project personnel developed the seven manuals on special land use issues, the draft Regulations for the cities, and the documents listed below for further dissemination to the cities, repositories and the institutes that will be continuing the Project's work. A Training Brochure was developed as a primary result of the first phase of the project. It was distributed to target groups and interested entities during seminars, presentations, and other training events. Approximately 700 brochures were disseminated to professionals and officials involved in urban development activities. The brochure served a dual purpose: It advertised the Project and it explained the ABC's of land use and legal zoning to interested parties.

The interest that was generated by the brochure was followed up with a series of newsletters. The subscription to the newsletter was free of charge and there was a total of six newsletters published over the life of the project. The newsletters not only reported on land use events in different cities, they also provided advice to city planners who were working on modernizing urban land use procedures in their cities. A brief overview of newsletter articles and the list of subscribers is attached in Appendix 3. The newsletters served a vital communication role: they served to inform the members of the working groups on the situation in other project cities, published the results of the research and gave advice on a number of urban planning issues. The newsletters also turned out to be a very good promotional device. They generated interest in the Land Use Project in other cities after officials had read only one or two issues of the newsletter.

Accomplishments Beyond the Deliverables.

The following examples provide further information on the impact of the Land Use program.

Potential Cities

- At least nine new cities (Voronezh, Volgograd, Ryazan, Khabarovsk, Yuzhno-Sachalinsk, Vladivostok, Kaliningrad, Astrakhan and Novorossisk) have displayed an interest in the project and development of Land Use Regulations.
- At least three project cities (Kazan, Novgorod and Irkutsk) are firmly determined to develop and improve the zoning plans and regulations and to include suburban areas within the scope of zoning regulations.

- The Moscow Oblast Chief Architect's Office is interested in the zoning concepts and hopes to develop them for a number of cities in Moscow oblast, possibly beginning with Podolsk.

Training

- Participation of the project specialists in the Chief Architects Conference in Moscow (April 27, 1998) resulted in broadening interest in the program. Some of the subtask manuals were distributed at the conference.
- The Department of Architecture of the State Land Management University is establishing a zoning segment for the school. The project materials are being used to develop the curriculum.
- The Union of Russian Cities wants to organize a series of seminars for city administrations of historic cities on the problem of establishing an urban planning process in these cities. The series of seminars will be a logical continuation of this Project.

Federal Level Legislation

- The Land use consultants drafted language for several federal level documents (Bill on Cultural and Historic Preservation, Federal Regulations on Delineation of Condominium Land Boundaries and on Holding Public Sales of Ownership and Lease Rights on Land Plots) which were discussed and went through the hearing procedures in the Duma.
- The consultants provided an initial draft on Federal Regulation on Delineation of Condominium Land Boundaries, the essential ideas of which, were incorporated in the Resolution of the Government # 1223 as of 09.26.97.
- Expert advice was provided on the draft Federal Urban Planning Code including amendments to the initial draft.

Publications, conferences and project materials

- The project experts participated in at 18 major public events in Russia and abroad that served to advertise the Land Use project and inform the attendees on the pace of Land Use reform in the Russian cities.

Event	Name
1. Study Tour to US	B. Valletta, T.Afanasyeva, E.Trutnev, E. Yakubovich
2. Seminar of the Russian Academy for Architecture and Construction Sciences	L. Kolokolnikova, A.Khahalin, A. Vysokovski
3. Seminar in Sofrino on Ecology and Land Use (Moscow oblast)	T.Afanasyeva, O. Chlenova, E. Yakubovich
4. International Conference on Historic Preservation in St. Petersburg	L. Kolokolnikova, T. Afanasyeva, E. Pago, E. Trutnev and E. Yakubovich
5. The CFED Conference on Real Property Taxation in Novgorod	E. Trutnev
6. State Duma Committee on Culture hearings	E. Yakubovich
7. State Duma Committee on Legislation and Legal Reform hearings	E. Yakubovich
8. Fifth Annual Conference of the Moscow Architects' Alliance	O. Chlenova
9.Cherkassy Zoning Seminar (Ukraine)	E. Trutnev
10. Coordinating Meeting of the Conciliatory Committee in the Federation Council (Urban Planning Code)	T. Afanasyeva
11. International Conference "Housing in Transition" (workshop on Rehabilitation and Urban Renewal) in Piran, Slovenia	L. Kolokolnikova
12. "Assessment of Municipal Land and the City's Investment Policy"	A. Vysokovski (with special invitation of O. Kaganova).
13. Conference of the Russian Guild of Realtors	A. Khahalin
14. Urbis-97" conference conducted by Gosstroï	Distribution of the Newsletter (T. Afanasyeva).
15. The Forum "Man and City" sponsored by UNESCO, the City of Moscow and the Russian Academy of Sciences	E. Yakubovich
16. Seminar of Northwest Russian cities on the issues of "Formation of Local Historic Preservation Policy" in Novgorod.	E. Yakubovich
17. Conference "Rostov-on-Don in the XXI Century"	A. Vysokovski
18. Annual Meeting of the Chief Architects of Russia	T. Afanasyeva, E. Trutnev, A. Vysokovski

- A weekly "Prosto Nedvizhimost" with a circulation of 25,000 published The Training Brochure in its November and December 1997 issues and an article by one of the Project experts - T. Afanasyeva, "Urban Development Legislation and Real Estate Investment" was published in its April 1998 issue.
- An article "Zoning Project Takes on Soviet City Planning" by Sujita Rao appeared in The Moscow Times, October 21 1997 and in The St. Petersburg Times, October 28 1997. It was based on interviews with Project specialists and included Project materials.

Coordination with Other Projects

The Land Use Project has coordinated its activities with the USAID DURER project implemented by the Urban Institute.

- Two experts (A. Khakhalin and L. Kolokolnikova) submitted articles to be published by the DURER Project.
- The seminars in Vyborg and Kazan were conducted with the participation of the DURER representatives.
- The portion of the DURER seminar that concerned the Land Use Project that was a follow-up of the study tour to US was prepared and conducted by the Project experts.
- A. Khakhalin coordinated with USAID projects on environmental issues in the development of the subtask manual on environmental issues and land use planning.

Advice to Central Agencies

- Ministry officials have often consulted with the Land Use Project staff
- The advisor to the GKI Chairman, Mr. Lazarevsky, frequently sought advice and project materials
- Director of the Roskomzem Department of Urban Lands, Mr. Belayev V.L., consulted with the Project staff.
- The State Duma Committees on Culture and Legislation frequently consulted with the Project.

In summary, the Land Use Regulatory System (Zoning) Project achieved results well beyond the requirement of the USAID Task Order. The Project's results and impetus to ongoing reform in land use regulation has made a major contribution to the achievement of USAID's Strategic Objectives and Intermediate Results. In addition the strong professional working relationships developed between the Project staff and the local, regional and federal government officials as well as non-governmental organizations, will continue to yield results in the general area of land reform in the coming years.

**List of Officials and Professionals Who are Capable of Contributing to the
Initiation and Implementation of a Modern Land Use Regulatory System.**

#	City	Name	Position
		Officials	
1.	Vyborg	Dubinin V.V.	Chairman of KUGMI
2.		Vishkovski N.F.	Deputy Chairman of KUGMI
3.		Vershenina S.A.	Chief of the Department KUGMI
4.		Fedorova V.E.	Specialist of KUGMI
5.		Fridjland D.P.	Chief Architect of Vyborg
6.		Dzhus T.A.	BTI Chairman
7.		Uglanov A.M.	Deputy Head of the Administration
8.		Kustrich V.G.	Architect in the office of the Chief Architect
9.		Zabotina T.I.	specialist in the office of the Chief Architect
10.		Chikovski V.P.	Architect in the office of the Chief Architect
11.		Dedova L.I.	Oblast Land Committee Department Head
12.		Vershinina M.F.	KUGMI Department Head
13.		Fyodorova V.E.	KUGMI Specialist
14.		Yurina G.E.	Office of the Chief Architect Specialist
15.		Yerochina A.F.	Office of the Chief Architect Specialist
16.		Borovkova T.B.	Office of the Chief Architect Specialist
17.		Dmitriev V.V.	Chief of GIOP
18.		Rogozin I.A.	Administration Department Head
19.		Kiryakov V.V.	Deputy of the Municipal Assembly
20.		Kruh E.V.	Vyborgkomzem, leading specialist
21.	Samara	Ushamirski K.M.	Deputy head of the Administration
22.		Zhukov V.I.	Chief Architect
23.		Pitiev O.V.	Octabrski Rayon Head

24.		Fadin Viktor Petrovich	Zheleznodorozhny Rayon Head
25.		Andruk L.R.	Kirovski Rayon Head
26.		Belorustcev V.A.	Leninski Rayon Head
27.		Kozyreva L.	Chief of the Department in the Office of the Chief Architect
28.		Gizatulin V.S.	Director of the Building and Architecture Department
29.		Khlebnikova N.A.	Director of the Department of Historical Monuments
30.		Shemshuck O.Y.	Head of the Department of the Privatized Land Plots
31.		Kondrusev I.V.	The Property Fund Chairman
32.		Luptakov I.D.	Interregional Committee on Ecology, Chief of the Expertise Department
33.		Vadchenko G.D.	Deputy of the Municipal Assembly
34.		Vagina T.A.	Deputy of the Municipal Assembly
35.		Demina A.S.	Deputy of the Municipal Assembly
36.		Viktorva L.A.	Head of the BTI
37.		Pikalov V.M.	Deputy Head of the Oktabrski rayon
38.		Zheltyakov R.K.	Deputy Head of the Zheleznodorozhny rayon
39.		Okulyan S.A.	
40.	Kazan	Itshakov K.Sh.	Head of the Administration
41.		Antocenکو O.D.	Deputy Administration Head
42.		Gilezaydtinov A.R.	Chief Architect
43.		Zabirova F.M.	Chief of the Historic Preservation Agency
44.		Loginov B.P.	Deputy Chief Architect
45.		Muhametzaynova V.M.	Acting Head of the Land Development Department
46.		Sosnovski S.V.	Chief of the City Cadaster Department.
47.		Mubarackzyanov R.S.	Deputy Head of the Administration
48.		Selivanov V.E.	Deputy Head of the Administration
49.		Fashutdinov R.I.	Deputy Head of the Administration

50.		Achmatdiev F.G.	Deputy Head of the Administration
51.		Volkov A.I.	Deputy Head of The Administration
52.		Ishmakov F.R.	Chairman of the Committee on the Communal Property Management
53.		Ermoshin V.N.	Deputy of the Municipal Assembly
54.		Gabitov D.M.	Deputy of the Municipal Assembly
55.		Ivanov K.A.	Deputy of the Municipal Assembly
56.		Alimbeck T.I.	Deputy of the Municipal Assembly
57.		Koleknikov A.K.	Deputy of the Municipal Assembly
58.		Starshinova V.S.	Deputy of the Municipal Assembly
59.		Safin G.M.	Deputy of the Municipal Assembly
		Professionals	
1.	Vyborg	Genis A.V.	Chief of the Design firm
2.		Yurin B.I.	Chief Architect of Vyborggrazhdan-project
3.		Obraztcov A.V.	Kontar Company Director
4.		Savchenko O.P.	Lengrazdanproject Vyborg branch, architect
5.		Laptev S.V.	Kontar Co. department head.
6.	Samara	Petukhov S.A.	Guild of Volga Realtors
7.		Galakhov I.B.	Recon Co.
8.		Zametalina N.P.	Intellect Agency
9.		Pritsker I..	I.Pritsker Design Agency
10.		Sergeev V.G.	Samaraarhproject Director
11.		Novikov V.M.	ARTA Chief Architect
12.	Kazan	Architect in the office of the Chief Architect	chief of the Genplan Department in Kazangrajdanproject
13.		Brikner D.A.	Chief Architect of the project
14.		Sanashin S.P.	Chief Architect of the project
15.		Evstratova M.M.	Chief Architect of the project
16.		Aidarov R.S.	ARTEP - head of the personal design studio
17.		Bilalov R.V.	PAFARCH - head of the personal design studio.

18.		Rubtsov V.I.	VIRA - head of the personal design studio
19.		Fachrutdinov Sh. N.	FAARCH - head of the personal design studio
20.		Chebinaeva E.V.	LINE - head of the personal design studio
21.		Shapovalov V.D.	TAMSH head of the personal design studio
22.		Galuzo T.	head of the Architectural bureau ATRIUM
23.		Gubaidulin Sh. Sh.	“ARECON” - head of the personal design studio
24.	Irkutsk	Shkuropat Yu.A.	Head of the “Tri Veka Company.
		Kozlov V.V.	Dean of the Architectural Faculty of Irkutsk University
25.	St. Petersburg	Nazarov V.	General director of NIIPIGRAD
		V.S. Mamonchikov	Vice President of the Regional Social Fund on the Urban Development of St. Petersburg
26.	Moscow	M.M. Possochin	Director of Mosproject - 2
27.		Galichenkov G.	Head of the Land Use and Ecology Department of MGU
28.		Ivanov I.N.	Dean of the Architectural Faculty of the State University on Land Use
29.	Novgorod	Zhukovski A.I.	Dialog Co.
30.	Tver	Kazanskaya N.V.	Director of the Municipal enterprise “Gorproject”

ORGANIZATION SELECTION CRITERIA

Company	High level of institutional interest	Leadership in the field of urban planning, land and real-estate development	High potential of applicability of institutional outcomes (in cities/in regions)	Highly professional staff	Previous experience in international projects, western training	Private form of ownership	Total:
Tri Veka (Irkutsk)	4	3	3	3	3	+	16+
Recon (Samara)	4	2	2	3	2	+	13+
NIPI GRAD (St.Petersburg)	5	4	4	4	4	+	21+
KONTAR (Vyborg)	4	2	2	3	2	+	13+
Fund for the Reconstruction and Development of Russian Cities (Moscow)	5	4	3	3	3	-	18-
Mosproject - 2	2	3	3	3	2	-	15-
Urban Development Reforms Foundation (Moscow)	5	5	5	5	5	+	25+
Moscow State University	4	3	3	3	3	-	16-
Moscow Architectural Institute	4	4	3	3	3	-	17-
Dialog (Novgorod)	4	2	2	3	2	-	13-
Irkutsk University	4	3	3	3	2	-	15-
Kazangrajdanproject	5	4	3	3	3	-	18-
The Institute for Urban Economics (Moscow)	5	4	4	5	5	+	23+
Rakurs Co. (Novgorod)	4	3	3	3	3	+	16+

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Creation of the Urban Development and Planning Fund

The list of people and organizations that were the subscribers to the newsletter and were receiving it on a regular basis:

Moscow

1. USAID
2. The Urban Institute
3. The Institute for Urban Economics
4. ILBE
5. Union of Russian Cities
6. Padco, Inc.
7. Mosproject-2
8. Gosstroy
9. The Department of the Mayor of Moscow
10. Committee of the State Duma on Property, Privatization and Economic Activity
11. Committee of the State Duma on Culture
12. Committee of the State Duma on Legislation and Judicial Reform
13. State University on Land Use, Architectural Department
14. Moscow State University, Law Department

St. Petesburg

15. Office of the Chief Architect of the Leningradskaya Oblast
16. The Legislative Assembly of St. Petersburg
17. NIPIGRAD

Kazan

17. The office of the Chief Architect (members of the working group)
18. The office of the President of the Union of Tartar Architects (distributed to 24 private design agencies in Kazan)

Samara

19. The office of the Chief Architect (members of the working group)
20. Samaraarchproject
21. ARTA
22. RECON

Vyborg

23. Office of the Chief Architect, (members of the working group)
24. Kontar
25. Lengrazhdanproject, Vyborg branch
26. KUGMI of the Vyborg Rayon

Irkutsk

- 27. Office of the Chief Architect
- 28. Tri Veka
- 29. Irkutsk State University, Architectural Department

Novgorod

- 30. Office of the Chief Architect

Tver

- 31. Office of the Chief Architect

Compendium of Land-Related Laws in Russia.

Review of the current laws of the Russian Federation and other legal documents regulating the legal status of real estate and legal relations in the area of land use and construction.

No	Date of adoption and registration No	Title of the document	Comments
1	2	3	4

1. LAWS OF THE RUSSIAN FEDERATION

1	11.08.94 No 26	“On Making Changes and Amendments to the RF Law “On Privatisation of Housing Stock in the Russian Federation”	Introduces changes to Articles 2,3,7,11 which are aimed at extension of rights of the minor family members in privatisation of residential premises.
2	10.01.96 No 4	“On Land Improvement”	Establishes legal basis for land improvement activities, determines the authority of governmental agencies and local self-governance agencies with respect to regulation of such activities, rights and obligations of legal entities and natural persons conducting land improvement activities and ensuring efficient use and preservation of improved land.
3	12.01.96 No 9	“On Making Changes and Amendments to the RF Law “On the Fundamentals of Federal Housing Policy”	Introduced changes to Articles 15,16,18. Established different rates of payment for housing depending on its quality and location. Payment for housing and communal services shall not exceed 50 % of “MPOT” if total family income per one person does not exceed the minimum living standard.

4	30.11.94 No 51 (edition of 12.08.96)	“Civil Code of the Russian Federation (Part I)”	The basic law regulating civil and legal relations including the legal status of and procedures for the turn-over of real estate. Article 17 regulating the ownership right and other property rights to land, will come into force upon the adoption of Land Code of the Russian Federation.
5	26.01.96 No 14 (edition of 24.10.97)	“Civil Code of the Russian Federation (Part II)”	Regulates the basic types of civil/legal transactions and obligations therewith, including those relating to real estate (sale/purchase, exchange, gift, lease, mortgage, etc.)
6	15.06.96 No 72	“On Condominiums”	<p>This law regulates ownership relations in condominiums, the premises of which belong to at least two owners, and in newly created condominiums which are being constructed or renovated, as well as in all partnerships, condominiums, housing associations and housing construction associations in which the initial share is fully paid by at least one member, and other associations of owners in the housing area created in order to make it possible to use an-apartment building, the use of apartments and common property of a residential house.</p> <p>Establishes ownership relations in condominiums; procedures for creation, use, extension, alienation and transfer of rights to real property in condominiums; requirements to the state registration of real property which is a subject of ownership relations in a condominium; procedures for real property management and creation, registration, functioning and liquidation of condominiums.</p>

7	21.04.97 No 68	“On Making Changes and Amendments to the RF Law “On the Fundamentals of Federal Housing Policy”	Introduced changes and amendments to Articles 1,4,7,8,11,13,11,15,17,19 relating to the adoption of the Law “On Condominiums” (see above).
8	21.07.97 No 122	“On the State Registration of Rights to Real Property and Transactions with Real Property”	Introduced a new system of registration of real property rights and real property transactions. The registration rights are transferred to legal agencies responsible for registration of real property rights. This law established procedures for registration of rights and creation of the State Register of Real Property Rights and Transactions. The law came into force on February 1, 1998.
9	20.07.97 No 110	“On Conducting an Experiment on Real Property Taxation in Cities”	In the process of this experiment in the mentioned regions, the taxes on real property of enterprises and natural persons and land taxes were substituted by a single real property tax. The subjects of taxation are: land parcels, buildings, structures and other real property. The taxation rates are established by local self-governance agencies and the taxes are transferred to the local budget.
10	28.03.98 No 45	“On Making Changes and Amendments to the Housing Code of RSFSR”	Changes, which are made to Articles 37,60, 67, extend the rights of orphans to get housing “ahead of turn”, and rights of minor family members in the exchange of residential premises.
11	26.03.98 No 42	“On Federal Budget for the Year 1998”.	The law established that one of the sources of revenues to Federal budget shall be some part of land taxes and rent payment for the land of cities and villages, of privatisation and sale of property in governmental ownership; the law established rates for distribution of these revenues to budgets of different levels.

12	15.04.98 No 66	“On Garden, Orchard and Dacha Non-Commercial Associations of Citizens”.	Established the legal status of garden, orchard and dacha non-commercial associations and procedures for their creation, re-organisation and liquidation, the rights and obligations of their members. Established procedures for creation and activity of agencies responsible for management of these associations and co-operation and support of these associations by governmental agencies and local self-governance agencies.
13	07.05.98 No 73	“Urban Development Code of the Russian Federation”	Regulates relations connected with the creation of a system of re-settlement, urban planning and development; improvement of urban and rural settlements, development of their engineering, transport and social infrastructures; rational use of natural resources; preservation of historic and cultural monuments and preservation of environment in order to ensure favourable living conditions for citizens. Determines the authority of the state executive agencies of the RF, executive agencies of subjects of the Russian Federation, the rights and obligations of legal entities and natural persons in the area of urban development; the role of urban development documentation and urban development regulations in the process of use of the land of the Russian Federation, and the responsibility for violation of the Urban Development Law of the Russian Federation.

1. DECREES OF THE PRESIDENT OF THE RUSSIAN FEDERATION.

1	10.06.94 No 1180	“On Housing Loans”	The main purpose of this Decree is to determine general procedures for provision of financial support to citizens when they try to solve housing problems with their own funds and gratuitous subsidies received for construction or purchase of housing. This Decree established the procedures for provision of bank loans to legal entities and natural persons for construction (renovation) of housing, improvement of land parcels, purchase of housing under mortgage conditions in the Russian Federation.
2	06.02.95 No 96 (edition of 26.06.96)	“On the Second Stage of Privatisation in Moscow”	<p>Moscow Government is empowered to establish the initial price for the sale of the state (municipal) enterprises and shares of open joint-stock companies created through transformation of these enterprises at tenders (including investment tenders) or auctions. The revenues received from the sale (through an auction or tender) of Federal shares of joint-stock companies created through privatisation, are transferred to the privatised enterprise, for the purposes of re-organisation or improvement of other enterprises in Moscow.</p> <p>The Decree established that privatisation of the real property located within the city of Moscow makes it possible for the owner of this real property to receive the corresponding land parcel in long-term lease (49 years).</p> <p>Land parcels in Moscow can be sold only on the basis of the corresponding legal document.</p>

			<p>The Decree established that non-residential real estate being leased in the area of Moscow can be sold based on the price which is determined taking into account the market conditions and according to the procedures developed by Moscow Government and approved by Moscow City Council (Duma).</p>
3	11.05.95 No 478 (edition of 16.05.97)	“On Measures to Ensure Guaranteed Revenues from Privatisation to the Federal Budget.”	<p>The Decree prohibited early (ahead of schedule) sale of Federal packages of shares of joint-stock companies created in the process of privatisation which manufacture products having strategic significance for national security, according to the list approved by the Government of the Russian Federation. It cancelled the restrictions (established earlier) on sale of shares of joint-stock companies created in the process of privatisation (the restriction was executed in the form of Federal ownership of share packages), authorising to sell them on a stage-by-stage basis, except for the package of shares mentioned in p.1 of this Decree. Created a Federal Commission at the Government of the Russian Federation to be responsible for the revenues obtained from privatisation for Federal budget.</p> <p>It established the purchase price of land on which privatised buildings, structures and objects of incomplete construction are located and this price shall equal at least 5 times land tax rate per area unit of a land parcel.</p> <p>Makes it possible (in case of the existing debt of Federal budgets to organisations located on land parcels) to use these parcels as means of paying debts.</p>

4	02.02.96 No 135	“On Free-of-Charge Allocation of Land for Individual Housing Construction to Citizens Who Are Leaving the Regions of Far North and Similar Areas.”	The Decree authorised the executive agencies of subjects of the Russian Federation to ensure free-of-charge allocation of land for individual housing construction to citizens leaving the regions of the Far North and similar areas (including land from the land fund for refugees and forced migrants, according to procedures established by the RF legislation.
5	14.02.96 No 198	“On the Right of Ownership of Natural Persons and Legal Entities to Land Occupied by Real Estate in Rural Settlements”.	The Decree established that legal entities and natural persons who received buildings, structures and other real estate into ownership in rural settlements and in areas of agricultural designation, have the right to purchase into ownership the land on which this real estate is located, or receive it into ownership free of charge. It recommended local self-governance agencies to allocate land into ownership : to citizens who left industrial agricultural commercial organisations and obtained real estate as part of their property share, and to legal entities created by the above mentioned citizens - free of charge; to other natural persons and legal entities - based on the normative price of land.

6	28.02.96 No 293 (edition of 09.07.97)	“On Additional Measures to Develop Mortgage Lending”.	<p>This document established legal basis for implementation of mortgage and specified the types of obligations for provision of which mortgage is applied. It established the requirements to real estate which is mortgaged. It also established that buildings, structures and other real estate can be mortgaged only under condition of simultaneous mortgage of land on which they are located, or simultaneous mortgage of the right of lease of this land. It established general rights and obligations of the parties to the agreement on mortgage and the list of real estate which may not be mortgaged.</p> <p>It regulates procedures for determining the cost of the real estate to be mortgaged.</p>
7	07.03.96 No 337	“On Implementation of Constitutional Rights of Citizens to Land”.	<p>The document established that land parcels which were allocated to citizens before January 1,1991 and which are in their life inherited possession and use, including parcels the size of which exceeds the established parameters and which are used for individual house-holding purposes, garden, housing or dacha construction, can be kept by citizens. The Decree prohibited to force citizens having such land parcels to purchase or lease them.</p> <p>It also determines the rights of owners of shares of land parcels, regulates issues of providing parts of land parcels by their owners for lease to agricultural organisations and farms.</p>

8	23.03.96 No 420	“On Development of Federal Targeted Program “Your Own Home”.	<p>In order to reduce prices of housing and make it available to all categories of citizens of the RF, this document authorises the Government of the Russian Federation:</p> <p>a.to approve in June 1996 the Federal targeted program “Your Own Home” based on the estimation that the cost of 1 m² of the total residential area in the individual house with independent infrastructure shall not exceed the average 2-month income per capita in subjects of the Russian Federation. In order to achieve this goal, the Program shall include the development of new types of construction materials and structures which will make it possible to reduce the costs; development of a mechanism of long-term mortgage lending for developers for the period from 10 to 25 years;</p> <p>b.to organise in April - May 1996 a tender with participation of the leading experts and organisations, including foreign companies, for selection of the most efficient projects of low-scale individual residential construction.</p>
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a.9	a.29.03.96 b.No 430	“On Governmental Support of Citizens in Construction and Purchase of Housing.”	<p>It authorises the Government of the Russian Federation, when the Draft Federal Budget for 1997 and further years is developed, to envisage the following:</p> <p>a.allocation of funds to citizens who need improvement of their living conditions, provision of free-of-charge subsidies for construction and purchase of housing as the main form of use of the budget funds designated for housing investment;</p> <p>b.provide for necessary measures aimed at implementation of this Decree based on the fact that these subsidies may be use for: purchase of a house, financing the construction of an individual house in the form of payments for each completed part of work, participation in the construction of apartment buildings which are almost completed (at least 70 %).</p> <p>c.The Decree establishes that the right of a citizen to get these subsidies is certified by the certificate on the provision of subsidies whose validity period shall not exceed 6 months.</p>
b.10	c.29.03.96 d.No 431	“On the New Stage of Implementation of the State Targeted Program “Housing”.	<p>This Decree approved the Basic Directions of the new stage of implementation of the State Targeted Program “Housing”, the basic aspects of which are: legal, social, financial and economic, architectural and technical aspects of the new stage of the housing reform; improvement of the structure of production of main types of construction materials for housing construction; urban development aspects of the new stage of the housing reform; the problems of development and management of housing/communal economy in cities and other settlements; organisational support of this new stage.</p>

11	27.08.96 No 1270	“On Approval of Procedures for Provision of Information about the State Registration of Real Estate Rights and Transactions”.	<p>The Decree establishes the following rules for provision of information on the state registration of real estate rights and transactions:</p> <p>1.Information on the state registration of real estate rights and transactions is an informational resource and is provided in accordance with the laws of the RF to users who are interested in it - citizens, legal entities and governmental executive agencies and local self-governance agencies;</p> <p>2.information on the registration is provided by agencies which exercise the state registration of rights to real estate;</p> <p>3.information on the registration is provided based on a written request which specifies the title of real estate, its location and the name of applicant;</p> <p>4.information on the registration is provided for an established fee. Procedures for establishment of this fee and the use of revenues are determined by the Government of the RF;</p> <p>5.legal, court or taxation agencies (if they submit a justified request) are provided with any information (and not only concerning any particular real estate).</p>
1.12	1.26.11.97 2.No 1263	On Sale of Land or Right of Lease of Land Designated for Development and Located within Urban and Rural Settlements to Citizens and Legal Entities.	<p>The Decree establishes that land parcels located within urban and rural settlements and designated for development (according with their urban development and land management documentation) or the right of lease of these parcels may be sold to citizens and legal entities through auctions (tenders) if not otherwise stipulated in the legislation of the Russian Federation.</p> <p>Land parcels in governmental or municipal ownership the turn-over of which is not permitted by the RF Law, are not subject to sale.</p>

1. SOME MATERIALS FROM COURT PRACTICE.

1	21.08.97 No C5-7/581	Letter “On Federal Law “On the State Registration of Real Estate Rights and Transactions”	This letter comments the provisions of the mentioned Federal Law.
2	02.02.98 No 4	Resolution of the Constitutional Court of the RF “On the Case on Checking the Conformity to the Constitution of Paragraphs 10, 12 and 21 of the Rules of Registration of Citizens of the Russian Federation at their Location and their Residence within the Russian Federation” approved by Resolution No 713 of the Government of the Russian Federation of July 17, 1995.	Declared as unconstitutional the following Paragraphs of these Rules (contradicting Articles 27 (Part 1) and Article 55 (Part 3) of the Constitution): Paragraph 10 of these Rules which establish that the term of registration of citizens at their location shall not exceed 6 months (and only as exceptions this term may be prolonged by the registration agency), which means that the term of staying at a particular place is determined by the registration agencies but not by a citizen himself; Paragraphs 12 and 21 of these Rules which envisage reasons for refusing the citizen’s registration and verification of authenticity of the submitted documents, their proper registration, reasonability of issuance of the authorisation to an apartment, conformity of the agreement to current legal regulatory documents, etc. This Resolution may be the basis for cancellation in the established order of provisions of other regulatory documents which are based on or contain similar statements. Provisions of these regulatory documents may not be applied by courts and other agencies or executive officials until they are brought into line with this Resolution.

3	03.04.98 No 10	Resolution of the Constitutional Court of the RF “On the Case on Verifying the Conformity to the Constitution of Paragraphs 1,3 and 4 of Article 32 and Paragraphs 2 and 3 of Article 49 of the Federal Law “On Condominiums” dated June 15, 1996 according to the request of Sovetski Rayonny Court of the City of Omsk.	Declared as unconstitutional the following Paragraphs (contradicting Article 30 of the Constitution): Paragraphs 1,3 and 4 of Article 32 and Paragraphs 2 and 3 of Article 49 of the Federal Law “On Condominiums” as they prescribe the obligatory membership of owners of apartments in a condominium.
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